

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Allegation of misappropriation and embezzlement of Government revenue against Sri B.Bhadru Naik, Motor Vehicle Inspector – Departmental proceedings initiated - Detailed enquiry conducted – Charge held as proved – Imposition of punishment of withholding of (5) annual grade increments with cumulative effect - Orders – Issued.

=====

TRANSPORT, ROADS AND BUILDINGS (VIG.III.1) DEPARTMENT

G.O.Rt.No.558.

Dated: 1st June, 2012.

Read the following: -

- 1) Charge Memo.No.133/C2/2000, Dated 25.04.2005 of Transport Commissioner, Andhra Pradesh, Hyderabad.
- 2) From Sri B.Bhadru Naik, MVI representation Dated NIL.
- 3) Proceedings of the Transport Commissioner in R.No.133 /C2/2000, Dated 14.08.2005.
- 4) From the Enquiry Officer, Letter Dated 24.12.2008.
- 5) Proceedings of the Transport Commissioner, Andhra Pradesh, Hyderabad in R.No.3806/V3/2009 Dated 08.06.2009.
- 6) Memo.No.133/V3/2000, Dated 31.03.2010 of Transport Commissioner, Andhra Pradesh, Hyderabad.
- 7) Representation of Sri B.Bhadru Naik, Motor Vehicle Inspector, Dated 18.04.2010.
- 8) Proceedings of the Transport Commissioner, Andhra Pradesh, Hyderabad in R.No.133/V3/2000-1, Dated 24.04.2010.
- 9) Appeal filed by Sri B.Bhadru Naik, MVI Dated 10.05.2010.
- 10) Orders of Hon'ble Andhra Pradesh, Administrative Tribunal Dated 05.08.2010 in O.A. No.4403/2010.
- 11) G.O.Ms.No.17, TR&B (Vig.III.1) Department, Dated 04.03.2011.
- 12) Govt.Memo.No.6238/Vig.III/1/2010-4, TR&B.Department, Dated 24.02.2011.
- 13) From Sri B.Bhadru Naik, MVI Representations Dated 12.07.2011 and 14.07.2011.
- 14) Govt.Letter No.6238/Vig.III/1/2010-9, TR&B.Department, Dated 10.11.2011.
- 15) From the Secretary, Andhra Pradesh Public Service Commission, Letter No.1730/RT.1/2011, Dated 09.12.2011.
- 16) G.O.Rt.No.391, TR&B (Vig.III.1) Department, Dated 13.04.2012.

* * *

O R D E R:

Whereas disciplinary proceedings were initiated by framing article of charges vide reference 1st read above against Sri B.Bhadru Naik, Motor Vehicle Inspector on the allegation that while he was working as Assistant Motor Vehicle Inspector in the Office of the Deputy Transport Commissioner Karimnagar during 1999-2000 along with his Attender namely Sri G.Ramesh, embezzled Government Revenue to a tune of Rs.2,07,310/- by way of submitting forged challans in number 226 in the Office of Regional Transport Authority Karimnagar and further he also did not remit the Government money of an amount of Rs.9,340/- in the bank and misappropriated the same;

2. And whereas in the Proceedings 3rd read above, an enquiry was ordered against Sri B.Bhadru Naik along with another on the said charges and whereas in his inquiry report received through the letter 4th read above, the Inquiry Officer held that the charges as proved;

P.T.O.,

3. And whereas after examining the matter, the Transport Commissioner, Andhra Pradesh, Hyderabad issued orders vide Proceedings 8th read above imposing the punishment of dismissal from service against Sri B.Bhadru Naik, Motor Vehicle Inspector;

4. And whereas, against the said punishment of dismissal Sri B.Bhadru Naik, filed an appeal before the Government vide reference 9th read above and he also filed O.A.No.4403/2010 before the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad;

5. And whereas, the Hon'ble Tribunal in its orders 10th read above while holding that the order of dismissal passed by the Transport Commissioner is without jurisdiction and set aside the impugned orders. The Hon'ble Tribunal further held that this shall not preclude the competent authority ie. the Government to pass appropriate orders by duly taking into consideration the points urged by the applicant in his explanation to the show cause notice and comments offered to the enquiry officer's report.

6. And whereas Government after careful examination of the matter in detail, and keeping in view as per the orders of Hon'ble Tribunal 10th read above, have rescinded the orders issued in the Proceedings 8th read above vide G.O. 11th read above, so as to enable the Government to take further action in the matter as per Rules. It was also ordered therein that B.Bhadru Naik, Motor Vehicle Inspector shall be deemed to be under suspension from the date of original orders passed in the proceedings 8th read above in terms of sub rule (4) of Rule (8) of Andhra Pradesh, Civil Services (CC&A) Rules, 1991 until further orders;

7. And whereas in the Memo. 12th read above Sri B.Bhadru Naik, Motor Vehicle Inspector was informed that he can make a representation if any on the findings of Enquiry Report for which, in his representation 13th read above, he submitted his representation and requested to drop further action against him.

8. And whereas in the meanwhile, Government have reviewed the suspension of Sri B.Bhadru Naik, Motor Vehicle Inspector and issued orders reinstating him into service pending finalisation of criminal/disciplinary cases pending against him in the G.O. 16th read above.

9. And whereas Government after careful examination of the representation submitted by Sri B.Bhadru Naik, vide reference 13th read above and taking into the fact of remitting the amount into the Government account and keeping his suspension from June, 2009 in view, have observed that as the punishment of dismissal would put the family of the Charged Officer in great distress and without livelihood, and therefore decided to modify the same to that of withholding of (5) annual grade increments with cumulative effect against Sri B.Bhadru Naik, Motor Vehicle Inspector;

10. And whereas the Andhra Pradesh Public Service Commission who was consulted in the matter vide letter 14th read above, have communicated its concurrence on the above said punishment vide letter 15th read above.

11. Accordingly, Government hereby impose the punishment of withholding of (5) annual grade increments with cumulative effect against Sri B.Bhadru Naik, Motor Vehicle Inspector.

:: 3 ::

12. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.LAKSHMI PARTHASARATHY,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

Sri B.Bhadru Naik, MVI through the Transport Commissioner,
Andhra Pradesh, Hyderabad.

The Transport Commissioner, Andhra Pradesh, Hyderabad.

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

The Secretary, A.P.Public Service Commission, Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

The file C.Nos.5918/Vig.III/2/2009 and C.No.15411/Vig.III/2/ 2008).
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER.